

**FEDERAL PUBLIC DEFENDER**

NORTHERN DISTRICT OF CALIFORNIA  
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**BARRY J. PORTMAN**

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Thursday, May 22, 2008

The Honorable Susan Illston  
District Court Judge  
Northern District of California  
Federal Building, 17th Floor  
450 Golden Gate Ave.  
San Francisco, CA 94102

**RE: *United States v. Jorge Magana-Alvarado*, CR 07-0379 SI**

Your Honor:

I am writing to ask that Mr. Magana-Alvarado's matter be set for change of plea at his appearance tomorrow before the Court. Mr. Magana-Alvarado is charged in a single-count indictment with a violation of 8 USC § 1326.

This will be an "open" plea: there is no written plea agreement.

I know the Court has had a very full week, and I note that it has a very full calendar tomorrow as well. If entry of a plea of guilt is not convenient tomorrow, I would ask for a date in the next two to three weeks for change of plea (I will be out of the state next Friday). My client would agree to exclusion of time under the Speedy Trial Act until the next date.

Thank you for your consideration.

Sincerely,

BARRY J. PORTMAN  
Federal Public Defender  
Northern District of California

/s

STEVEN G. KALAR  
Assistant Federal Public Defender  
Northern District of California

cc: AUSA Erika Frick